

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                                   |          |                                |
|-----------------------------------|----------|--------------------------------|
| <b>In re:</b>                     | <b>§</b> | <b>Chapter 11</b>              |
| <b>STEWARD HEALTH CARE SYSTEM</b> | <b>§</b> | <b>Case No. 24-90213 (CML)</b> |
| <b>LLC, <i>et al.</i>,</b>        | <b>§</b> | <b>(Jointly Administered)</b>  |
| <b>Debtors.<sup>1</sup></b>       | <b>§</b> |                                |
|                                   | <b>§</b> |                                |

**DEBTORS' WITNESS AND EXHIBIT LIST  
FOR SECOND DAY HEARING ON JUNE 3, 2024**

Steward Health Care System LLC and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), hereby file this witness and exhibit list (the “**Witness and Exhibit List**”) for the hearing scheduled for June 3, 2024 at 1:00 p.m. (Central Time) before the Honorable Christopher M. Lopez at the United States Bankruptcy Court for the Southern District of Texas, Courtroom 401, 515 Rusk, Houston, Texas 77002 (the “**Hearing**”):

**WITNESSES**

The Debtors may call any of the following witnesses at the Hearing:

1. John R. Castellano, Chief Restructuring Officer, Steward Health Care System LLC;
2. Tyler W. Cowan, Managing Director, Lazard Frères & Co. LLC;
3. Toby King, Senior Managing Director, Leerink Partners LLC;
4. James Moloney, Managing Director, Cain Brothers, a division of KeyBanc Capital Markets Inc.;

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<sup>1</sup> A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/Steward>. The Debtors’ service address for these chapter 11 cases is 1900 N. Pearl Street, Suite 2400, Dallas, Texas 75201.

5. Any witness called or listed by any other party; and
6. Any rebuttal witnesses.

### **EXHIBITS**

The Debtors may offer into evidence any one or more of the following exhibits:

| <b>EXHIBIT<br/>NO.</b> | <b>DESCRIPTION</b>  | <b>OFFERED</b> | <b>OBJECTION</b> | <b>ADMITTED</b> | <b>DATE</b> |
|------------------------|---|----------------|------------------|-----------------|-------------|
| 1.                     | Declaration of John R. Castellano in Support of Debtors' Chapter 11 Petitions and First-Day Pleadings (Docket No. 38)   |                |                  |                 |             |
| 2.                     | Declaration of John R. Castellano in Support of Emergency Motion of Debtors for Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Junior Lien Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Liens and Provide Superpriority Administrative Expense Claims; (II) Granting Adequate Protection to Certain Prepetition Secured Parties; (III) Modifying the Automatic Stay; (IV) Scheduling a Final Hearing; and (V) Granting Related Relief (Docket No. 52) |                |                  |                 |             |
| 3.                     | Declaration of Tyler W. Cowan in Support of Emergency Motion of Debtors for Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Junior Lien Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Liens and Provide Superpriority Administrative Expense Claims, (II) Granting Adequate Protection to Certain Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief (Docket No. 55)     |                |                  |                 |             |
| 4.                     | Declaration of James Moloney in Support of Emergency Motion of Debtors for Entry of an Order (I) Approving (A) Global Bidding Procedures for Sales of Debtors' Assets,  |                |                  |                 |             |

| EXHIBIT NO. | DESCRIPTION   | OFFERED | OBJECTION | ADMITTED | DATE |
|-------------|---|---------|-----------|----------|------|
|             | (B) Form and Manner of Notice of Sales, Auctions, and Sale Hearings, and (C) Assumption and Assignment Procedures and Form and Manner of Notice of Assumption and Assignment; (II) Authorizing Designation of Stalking Horse Bidders; (III) Scheduling Auctions and Sale Hearings; and (IV) Granting Related Relief (Docket No. 425)  |         |           |          |      |
| 5.          | Declaration of Toby King in Support of Emergency Motion of Debtors for Entry of an Order (I) Approving (A) Global Bidding Procedures for Sales of Debtors' Assets, (B) Form and Manner of Notice of Sales, Auctions, and Sale Hearings, and (C) Assumption and Assignment Procedures and Form and Manner of Notice of Assumption and Assignment; (II) Authorizing Designation of Stalking Horse Bidders; (III) Scheduling Auctions and Sale Hearings; and (IV) Granting Related Relief (Docket No. 426) |         |           |          |      |
| 6.          | DIP Budget, attached as <u>Exhibit B</u> to the DIP Motion (Docket No. 46-2)  |         |           |          |      |
| 7.          | DIP Term Sheet, attached as <u>Exhibit C</u> to the DIP Motion (Docket No. 46-3)  |         |           |          |      |
| 8.          | Amended and Restated Intercreditor Agreement, by and among Sound Point Agency, LLC, Brigade Agency Services, LLC, the MPT Lessors, the MPT Lenders, MPT Opco, and the MPT Loan Parties, dated as of February 21, 2024, attached as <u>Exhibit D</u> to the DIP Motion (Docket No. 46-4)   |         |           |          |      |
| 9.          | Third Forbearance Agreement, Amendment No. 4 to Credit Agreement and Amendment No. 2 to Agreement Among Lenders, by and among Steward Health Care System LLC, the other Loan Parties party thereto, the Lenders party thereto,  |         |           |          |      |

| EXHIBIT NO. | DESCRIPTION  | OFFERED | OBJECTION | ADMITTED | DATE |
|-------------|--|---------|-----------|----------|------|
|             | Sound Point Agency LLC, Chamberlain Commercial Funding (Cayman) L.P., and Brigade Agency Services LLC, dated as of February 21, 2024, attached as <u>Exhibit E</u> to the DIP Motion (Docket No. 46-5)   |         |           |          |      |
| 10.         | Credit Agreement, by and among Steward Health Care Network, Inc., Steward Emergency Physicians, Inc., Steward Physician Contracting Inc., Steward Medicaid Care Network, Inc., Stewardship Health, Inc., Steward Health Medical Group, Inc., Stewardship Services Inc., the other Loan Parties party thereto, the Lenders party thereto, Brigade Agency Services LLC, and Brigade Agency Services LLC, dated as of February 21, 2024 |         |           |          |      |
| 11.         | Amended and Restated Promissory Note (Stewardship Note), by and among the Borrowers party thereto and MPT TRS Lender-Steward, LLC, dated April 25, 2024  |         |           |          |      |
| 12.         | Third Amended and Restated Promissory Note (TRS Loan), by and among Steward Health Care System LLC and MPT TRS Lender-Steward, LLC, dated January 22, 2024   |         |           |          |      |
| 13.         | First Amendment to Third Amended and Restated Promissory Note (2024 Bridge Loan and Second Forbearance Agreement), by and among Steward Health Care System LLC and MPT TRS Lender-Steward, LLC, dated February 21, 2024  |         |           |          |      |
| 14.         | Debtor-in-Possession Credit Agreement, by and among Steward Health Care System LLC and MPT TRS Lender-Steward, LLC, dated May 28, 2024   |         |           |          |      |
| 15.         | List of Insurance Policies, attached as <u>Exhibit C</u> to the Insurance Motion (Docket No. 6-4)  |         |           |          |      |

| <b>EXHIBIT<br/>NO.</b> | <b>DESCRIPTION</b>   | <b>OFFERED</b> | <b>OBJECTION</b> | <b>ADMITTED</b> | <b>DATE</b> |
|------------------------|--|----------------|------------------|-----------------|-------------|
| 16.                    | List of Surety Bonds, attached as <u>Exhibit D</u> to the Insurance Motion (Docket No. 6-4)                      |                |                  |                 |             |
| 17.                    | List of Letters of Credit, attached as <u>Exhibit E</u> to the Insurance Motion (Docket No. 6-5)                 |                |                  |                 |             |
| 18.                    | Any pleading or other document filed with the Court on the docket of the above-captioned chapter 11 cases        |                |                  |                 |             |
| 19.                    | Any exhibit necessary to rebut the evidence of testimony of any witness offered or designated by any other party |                |                  |                 |             |
| 20.                    | Any exhibit listed by any other party  |                |                  |                 |             |

### **RESERVATION OF RIGHTS**

The Debtors reserve the right to call or to introduce one or more, or none, of the witnesses and exhibits listed above, and further reserve the right to amend or supplement this list at any time prior to the Hearing.

Dated: May 30, 2024  
Houston, Texas

/s/ Clifford W. Carlson  
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*Proposed Attorneys for Debtors  
and Debtors in Possession*

**Certificate of Service**

I hereby certify that on May 30, 2024, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas, and will be served as set forth in the Affidavit of Service to be filed by the Debtors' claims, noticing, and solicitation agent.

/s/ Clifford W. Carlson  
Clifford W. Carlson